

Remarks

The Final Office Action dated September 26, 2006, indicated that claims 1-22 stand rejected under 35 U.S.C. § 102(e) over Huang *et al.* (U.S. Patent No. 6,836,478).

Applicant respectfully traverses all of the Section 102(e) rejections because the claimed invention was reduced to practice prior to the reference date of Huang (*i.e.*, the filing date of Dec. 30, 1999), as evidenced by the 37 C.F.R. § 1.131 Declaration submitted herewith, showing correspondence between the claimed invention and a document entitled IntraSwitch dated before Dec. 30, 1999. Therefore, Applicant submits that the Huang reference is not prior art under Section 102(e). Accordingly, Applicant requests that the Section 102(e) rejections be withdrawn.

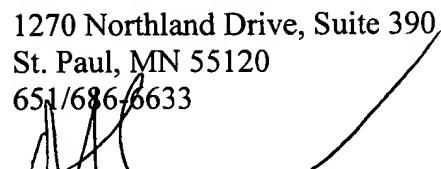
Applicant has submitted this supplemental response accompanied by an attached 37 C.F.R. § 1.131 Declaration, which demonstrates that the filing date of the Huang reference does not predate the invention date of the claimed invention. This §1.131 Declaration has been executed by the CEO of the Assignee (8x8, Inc.), which was the employer of the named inventors during all relevant periods and which is qualified to submit this Declaration under 37 C.F.R. §1.47. In support thereof, Applicant has copied the Decision on Petition granting Applicant's Petition under §1.47(a). For the reasons set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is encouraged to contact the undersigned at (651) 686-6633.

Respectfully submitted,

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By:


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Dated: January 9, 2007

Attachments:

Declaration (§1.131) with its Exhibit A
Copy of Grant on Petition under 37 C.F.R. §1.47(a).